

# FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
 2200 ROSS AVENUE, SUITE 2800  
 DALLAS, TEXAS 75201-2784  
[WWW.FULBRIGHT.COM](http://WWW.FULBRIGHT.COM)

MFOGARTY@FULBRIGHT.COM  
 DIRECT DIAL: (214) 855-8172

TELEPHONE: (214) 855-8000  
 FACSIMILE: (214) 855-8200

September 17, 2004

By Express Mail

Rafael Barcares  
 Leonard Smith  
 Mail Stop PCT  
 PCT Legal Administration  
 Commissioner for Patents  
 U.S. Patent & Trademark Office  
 P O Box 1450  
 Alexandria, VA 22313-1450

RECEIVED

9 NOV 2004

Re: Renewed Request Under 37 CFR 1.497(d)  
 U.S. Patent Application  
 Application No.: 09/889,911  
 Title: UNIVERSAL INTERFACE FOR VOICE ACTIVATED ACCESS TO  
 MULTIPLE INFORMATION PROVIDERS  
 Filed: January 21, 2000  
 Inventor: Paul Edmonds et al.  
Our Reference: 51410/P039C2/10401533

Legal Staff  
 International Division

Dear Sirs:

We have received the decision mailed August 3, 2004 regarding the "REQUEST FOR ADDITION OF INVENTOR" filed regarding the above application on 6 May 2004, and which is being treated under 37 C.F.R. § 1.497(d). The request has been dismissed without prejudice as not complying with the statute because there is no copy of the executed assignment to the assignee, Openwave Systems, Inc. in the file. The Examiner has stated that the Applicants must submit copies of the executed assignment documents establishing the right of Openwave Systems, Inc. to take action.

Accordingly, a copy of the assignment from the original named inventors Paul Edmonds et al. to Arabesque Communications, Inc. dated 13 January 1999 is attached. This assignment was submitted for recordation on 10 March 2004 but was not accepted because the cover sheet was found not acceptable. A corrected cover sheet and assignment have been submitted. To complete the chain of title, an assignment from Arabesque Communications, Inc. to Atmotion,

25452028.1

Rafael Barcares et al.  
September 17, 2004  
Page 2

Inc. dated 9 July 1999 was recorded on 8 March 2004 and may be found at Reel 015041, Frame 0093. Lastly, an assignment from Atmotion, Inc. to Openwave Systems, Inc. dated 19 March 2001 was recorded on 8 March 2004 and may be found at Reel 015041, Frame 0062. Copies of both of these assignments are also attached.

Applicants have complied with the requirements of the Decision on Request and with 37 C.F.R. § 1.497(d). Therefore, Applicants respectfully request that the dismissal of "REQUEST FOR ADDITION OF INVENTOR" be reconsidered and that the Request be granted.

Very truly yours,



Michael J. Fogarty, III

MJF/MEF/jhp  
Enclosures

3/8/04

03-10-2004

Atty. Docket No.: 51410 - P039C2 - 10401533

Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/3)



102689182

**CR SHEET** U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Y

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

**1. Name of conveying party(ies):**

Paul Edmonds et al

Additional name(s) of conveying party(ies) attached?

 Yes  No
**3. Nature of Conveyance:**

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: January 13, 1999

**2. Name and address of receiving party(ies):**

Name: Arabesque Communications, Inc.

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

303 Twin Dolphin Drive, Fourth Floor

SECTION 26

City: Redwood City

State: CA Zip: 94065

Additional name(s) & address(es) attached?  Yes  No**4. Application number(s) or patent number(s):**

If this document is being filed together with a new application, the execution date of the new application is: \_\_\_\_\_

**A. Patent Application No.(s):**

09/889,911

**B. Patent No.(s):**Additional numbers attached?  Yes  No**5. Name and address of party to whom correspondence concerning document should be mailed:**Name: Michael J. Fogarty, III  
FULBRIGHT & JAWORSKI L.L.P.

Internal Address: \_\_\_\_\_

Street Address:  
2200 Ross Avenue, Suite 2800City:  
Dallas

State: TX Zip: 75201-2784

**6. Total number of applications and patents involved:**

1

**7. Total fee (37 CFR 3.41)** \$ 40.00

<input type="checkbox"/> Enclosed
<input checked="" type="checkbox"/> Authorized to be charged to deposit account
<input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed)

**8. Deposit account number:**

06-2380

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE****9. Statement and signature.**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Michael J. Fogarty, III  
Name of Person Signing

*Michael J. Fogarty, III*  
Signature

3/2/04  
Date

Total number of pages including cover sheet, attachments, and documents: 6

**Recordation Form Cover Sheet**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 2, 2004

Signature: *Carrie D. Wilson*

(Carrie D. Wilson)

03/09/2004 GTOM11 00000117 062380 09889911

01 FC:8021

40.00 DA  
25385391.1

## ASSIGNMENT

For valuable consideration, we, Paul Edmonds, of Palo Alto, California; Yi Zhang, of Sunnyvale, California; Chang Xiu, of San Jose, California; Priyen R. Doshi, of San Jose, California; George Sollman, of Atherton, California; David Weinstein, of Palo Alto, California; Andy Chan, of Milpitas, California; Michael P. Tel, of Sunnyvale, California; Stephen Co, of San Ramon, California hereby assign to Arabesque Communications, Inc., a California corporation having a place of business at 303 Twin Dolphin Drive, Fourth Floor Redwood Shores, CA 94065, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us this day, entitled UNIVERSAL INTERFACE FOR VOICE ACTIVATED ACCESS TO MULTIPLE INFORMATION PROVIDERS, filed herewith, and we authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999

Paul Edmonds

L.S.

STATE OF California:

:ss.

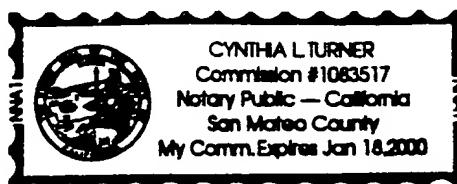
COUNTY OF San Mateo:

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Paul Edmonds known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

My Commission Expires:

[Notary's Seal Here]



IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999  
13 Jan 99

L.S.

STATE OF California:  
Priyen R. Doshi

COUNTY OF San Mateo

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Priyen R. Doshi known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Priyen R. Doshi  
Notary Public

My Commission Expires:

[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
this 13<sup>th</sup> day of January, 1999  
13 Jan 99

L.S.

George Sollman

STATE OF California:

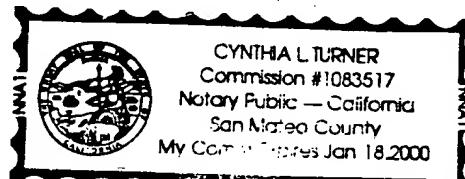
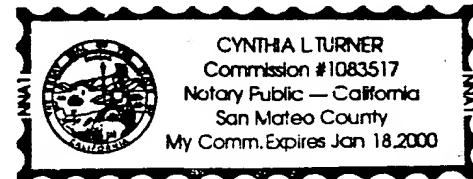
COUNTY OF San Mateo :ss.

Before me this 13<sup>th</sup> day of January, 1999, personally appeared George Sollman known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

George Sollman  
Notary Public

My Commission Expires:

[Notary's Seal Here]



IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999 Michael Tel L.S.

Michael P. Tel

STATE OF California:

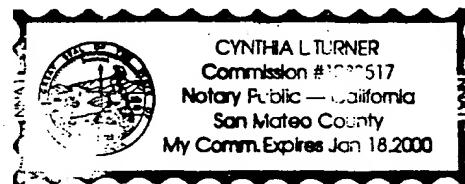
COUNTY OF San Mateo: ss.

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Michael P. Tel known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

My Commission Expires:

[Notary's Seal Here]



IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999 Stephen Co L.S.

Stephen Co

STATE OF California:

COUNTY OF San Mateo: ss.

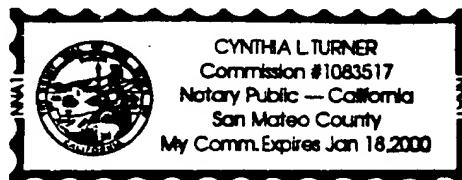
Before me this 13<sup>th</sup> day of January, 1999, personally appeared Stephen Co known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

My Commission Expires:

[Notary's Seal Here]

101975.PALI



IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999

Redwood City

L.S.

David Weinstein

STATE OF California:

:ss.

COUNTY OF San Mateo:

Before me this 13<sup>th</sup> day of January, 1999, personally appeared David Weinstein known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

John S.  
Notary Public

My Commission Expires:



[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999

L.S.

Andy Chan

STATE OF California:

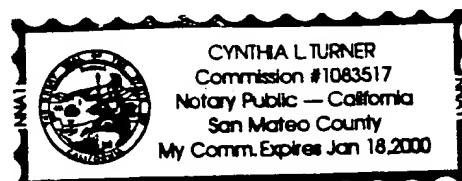
:ss.

COUNTY OF San Mateo:

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Andy Chan known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

John S.  
Notary Public

My Commission Expires:



[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January 1999

*ZS*

L.S.

Yi Zhang

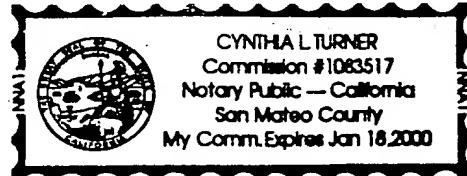
STATE OF California:

COUNTY OF San Mateo: ss.

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Yi Zhang known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

*S. L. Turner*  
Notary Public

My Commission Expires:



[Notary's Seal Here]

IN WITNESS WHEREOF, I hereto set my hand and seal at Redwood City,  
this 13<sup>th</sup> day of January, 1999

*CJ Deane*

L.S.

Chang Xu

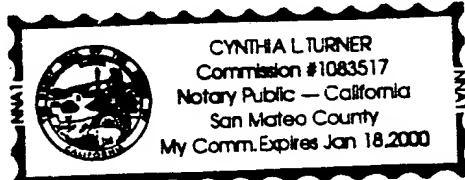
STATE OF California:

COUNTY OF San Mateo: ss.

Before me this 13<sup>th</sup> day of January, 1999, personally appeared Chang Xu known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

*S. L. Turner*  
Notary Public

My Commission Expires:



[Notary's Seal Here]

3/8/04

03-10-2004

Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

IEET U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner:

102689183

attached original documents or copy thereof

## 1. Name of conveying party(ies):

Arabesque Communications, Inc.

Additional name(s) of conveying party(ies) attached?

 Yes  No

## 3. Nature of Conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: July 9, 1999

## 2. Name and address of receiving party(ies):

Name: Atmotion Inc.

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

303 Twin Dolphin Drive, Fourth Floor

City: Redwood Shores

State: CA Zip: 94065-1409

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: \_\_\_\_\_

## A. Patent Application No.(s):

09/889,911

## B. Patent No.(s):

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael J. Fogarty, III  
FULBRIGHT & JAWORSKI L.L.P.

Internal Address: \_\_\_\_\_

Street Address:  
2200 Ross Avenue, Suite 2800

03/09/2004 GT0N11 00000118 062380 09889911

01 PC:8021

40.00 DA

City: Dallas  
State: TX  
Zip: 75201-2784

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

 Enclosed Authorized to be charged to deposit account Authorized to be charged to credit card  
(Form 2038 enclosed)

## 8. Deposit account number: 06-2380

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael J. Fogarty, III  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 3

## Recordation Form Cover Sheet

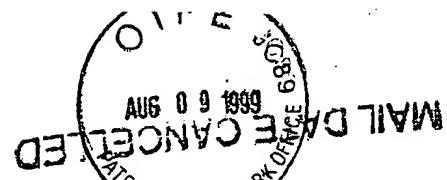
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 2, 2004

Signature:

(Carrie D. Wilson)

AUG 1999



CERTIFICATE OF AMENDMENT  
OF ARTICLES OF INCORPORATION OF  
ARABESQUE COMMUNICATIONS, INC.

BILL JONES, Secretary of State

The undersigned certify that:

1. They are the duly elected president and secretary, respectively, of Arabesque Communications, Inc., a California corporation.
2. Article First of the Articles of Incorporation of this corporation is amended to read as follows:

"The name of this corporation is AtMotion Inc."
3. The foregoing amendment of the Articles of Incorporation has been duly approved by the board of directors.
4. The foregoing amendment of the Articles of Incorporation has been duly approved by the required vote of shareholders in accordance with Section 902 of the California Corporations Code. The total number of outstanding shares of the corporation is 9,963,687. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage vote required was more than 50%.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Dated: July 9, 1999

George Sollman, President

John B. Goodrich, Secretary



A0527988



State of California



**SECRETARY OF STATE**

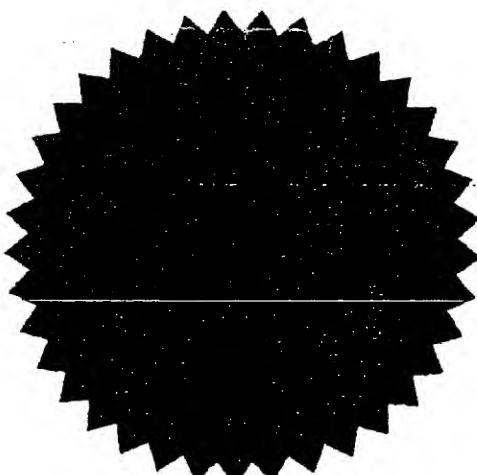
I, *BILL JONES*, Secretary of State of the State of California,  
hereby certify:

That the attached transcript of 1 page(s) has  
been compared with the record on file in this office, of  
which it purports to be a copy, and that it is full, true  
and correct.

**IN WITNESS WHEREOF**, I execute this  
certificate and affix the Great Seal of  
the State of California this day of

JUL 15 1999

Secretary of State



3/8/04

03-10-2004

Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

**EET** U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commission

102689184

## 1. Name of conveying party(ies):

Atmotion Inc.

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of Conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: March 19, 2001

## 2. Name and address of receiving party(ies):

Name: Openwave Systems Inc.

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

1400 Seaport Boulevard

City: Redwood City

State: CA Zip: 94063

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: \_\_\_\_\_

## A. Patent Application No.(s):

09/889,911

## B. Patent No.(s):

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael J. Fogarty, III  
FULBRIGHT & JAWORSKI L.L.P.

Internal Address: \_\_\_\_\_

Street Address:  
2200 Ross Avenue, Suite 2800  
03/09/2004 GTON11 00000119 062380 09889911

01 FC:8021

40.00 DA

City: Dallas State: TX Zip: 75201-2784

## 6. Total number of applications and patents involved: \_\_\_\_\_

1

## 7. Total fee (37 CFR 3.41) \$ 40.00

 Enclosed Authorized to be charged to deposit account Authorized to be charged to credit card  
(Form 2038 enclosed)

## 8. Deposit account number:

06-2380

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael J. Fogarty, III  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 3

## Recordation Form Cover Sheet

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Dated: March 2, 2004

Signature:

Carrie D. Wilson

(Carrie D. Wilson)

## ASSIGNMENT OF PATENT APPLICATIONS

**Assignor:** AtMotion, Inc., a California corporation formerly having a principal place of business in Redwood Shores, California.

**Assignee:** Openwave Systems Inc., a Delaware corporation having a principal place of business at 800 Chesapeake Drive, Redwood City, California 94063.

1. Assignor represents that Assignor is the owner of the following patent applications (the "Applications"):

<u>Application country and Serial No.</u>
United States, 09/234,617
United States, 09/169,838
United States, 09/169,361
United States, 09/169,360
United States, 09/221,334
United States, 09/373,810
United States, 09/417,525

2. For good and valuable consideration, the receipt and sufficiency of which is acknowledged by Assignor, Assignor hereby assigns to Assignee all of Assignor's rights, title and interest throughout the world in the inventions and improvements that are subject of the Applications. This Assignment includes the foregoing patent applications, all legal equivalents thereof in the United States and any foreign country, all patents issuing from any of the foregoing, and all rights to past and prospective remedies for infringement. This Assignment also includes the right to claim priority based on the filing date of the foregoing patent applications under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes. Assignor authorizes Assignee to apply in all countries in the name of Assignor or in the name of Assignee for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements

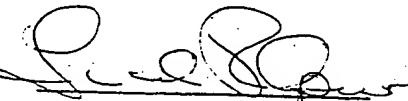
Assignor hereby represents that no assignment, sale, agreement or encumbrance has been made and covenants that none will be made that would conflict with this Assignment.

Assignor further covenants for itself and its successors and assigns to provide to Assignee promptly upon the request of Assignee all pertinent facts and documents relating to the Applications and legal equivalents as may be known and accessible to Assignor and to testify as to the same in any interference, litigation, or proceeding relating thereto and promptly to execute and deliver to Assignee or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce its rights under this Assignment.

Assignor requests the United States Patent and Trademark Office to issue any patents of the United States arising from the Applications and any reissue or extension thereof to Assignee.

3. Assignor agrees to promptly execute any and all agreements and documents in connection with this Assignment in order to complete and fulfill the terms and purposes of this Assignment.

AtMotion, Inc. (Assignor):

By: 

Title: VICE PRESIDENT

Date: 19 MAR 01